

REMARKS

Amendments to claims 1, 8, 11, 18, 25, 28, 35, 40, and 43 are for the purpose of clarifying what Applicant regards as the invention. No new matter has been added.

I. CLAIM REJECTIONS UNDER 35 U.S.C. § 102/103

Claims 1-4, 6-14, 16-21, 23-31, and 33-34 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,678,399 (Doi). Claims 35-47 stand rejected under 35 U.S. C. 102(b) as being anticipated by U.S. Patent No. 6,125,166 (Takeo). Applicant respectfully notes that in order to sustain a rejection under §102, each element in the rejected claim must be found, either expressly or inherently, in the cited reference.

Claims 1, 8, 11, 18, 25, and 28

Claims 1, 8, and 11 each recites collecting a first x-ray image and a third x-ray image, wherein the first and the third x-ray images comprise images of *a same portion* of an object. Claims 18, 25, and 28 each recites a similar limitation. Doi does not disclose or suggest such limitation. Rather, Doi discloses obtaining a plurality of section images at *different cross sectional planes* of an object (see figures 1 and 7a-7c). As such, Doi discloses obtaining section images of *different portions* of an object. For at least the foregoing reason, claims 1, 8, 11, 18, 25, and 28, and their respective dependent claims, are believed allowable over Doi.

Claims 35, 40, and 43

Claims 35, 40, and 43 each recites obtaining a first x-ray image and a second x-ray image, wherein the first and the second x-ray images are obtained *using x-ray having an energy level*. Takeo does not disclose or suggest such limitation. Rather, Takeo specifically requires that the first

x-ray image and the second x-ray image be obtained using x-ray having *different energy levels* (column 12, lines 5-8). For at least the foregoing reason, claims 35, 40, and 43, and their respective dependent claims, are believed allowable over Takeo.

CONCLUSION

Based on the foregoing, all remaining claims are believed in condition for allowance. If the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7031422003. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7031422003.

Respectfully submitted,

Bingham McCutchen LLP

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By: 

Gerald Chan

Reg. No. 51,541

Bingham McCutchen LLP
Three Embarcadero Center
San Francisco, California 94111
Telephone: (650) 849-4960
Telefax: (650) 849-4800